

**CLERK'S SUMMARY AND OFFICIAL MINUTES
MAYOR'S MENTAL HEALTH TASK FORCE
MENTAL HEALTH DIVERSION FACILITY
SUBCOMMITTEE MEETING
MARCH 29, 2006**

The Mental Health Diversion Facility Subcommittee of the Miami-Dade County Mayor's Mental Health Task Force (MMHTF) met in the Stephen P. Clark Government Center, Conference Room 18-2, 111 N.W. First Street, Miami, Florida at 9:00 a.m. on March 29, 2006, there being present Subcommittee and Task Force Co-Chair, Jack Lowell, Task Force Co-Chair Honorable Steve Leifman, Associate Administrative Judge, Eleventh Judicial Circuit of Florida; and Subcommittee members Mr. Tim Coffey, Assistant Mental Health Project Coordinator, Eleventh Judicial Circuit Criminal Mental Health Project; Mr. Mark Buchbinder, Alliance for Human Services; Joseph Poitier, M.D., Chief Psychiatrist, Miami-Dade County Corrections and Rehabilitation Department MDCR; Mr. David Raymond, Miami-Dade County Homeless Trust; Assistant County Attorney Valda Clark Christian; and Deputy Clerk Mary Smith-York.

Also present were Ms. Elinette Ruiz Garcia-Navarro, Project Supervisor, Mayor's Mental Health Task Force, Office of the Mayor; Ms. Karen Leonard, Clerk of the Mayor's Office; Mr. Nelson Diaz, Clerk of the Board; Mr. Steven Poole, Florida Department of Children and Families; Mr. Leland Salomon, Chief, Real Estate Development, Miami-Dade County General Services Administration; Mr. Chris Rose, Miami-Dade County Office of Strategic Business Management; Joel Dvoskin, PhD, project consultant, Tucson, Arizona; Mr. Wayne Clotfelter, Director of General Services, Department of Children and Families, (DCF) Tallahassee; Miami-Dade County Assistant County Attorney Hugo Benitez; Ms. Jill Sperling, Public Defenders Office; Deputy County Manager Pete Hernandez; Ms. Sheila Siddiqui, Department of Corrections and Rehabilitation; Ms. Lynn Westall, County Managers Office; and Ms. Alina Perez-Sheppe, Administrative Office of the Court.

I. Welcome and Introductions

Co-Chairman Lowell called the Mental Health Diversion Facility Subcommittee meeting to order at 9:20 a.m. He requested all participants introduce themselves for the record.

II. SFETC Facility Observations and Programmatic Considerations

Co-Chair Lowell stated the purpose of the Subcommittee's meeting and activities. He noted that the Dr. Dvoskin toured the South Florida Evaluation Treatment Center (SFETC) facility and he requested Dr. Dvoskin present an overview of his observations of the facility's physical plant.

Dr. Joel Dvoskin, project consultant, discussed the operations of the facility. He noted that the mechanical systems of the facility were in good condition, and noted that the primary physical drawback to operations relates to lack of adequate program space when the facility is fully occupied. Dr. Dvoskin stated that the SFETC was under State

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management and their assessment coincided with his observations that major repairs had been completed. He discussed the employment of ward-based versus perimeter-based security in the proposed facility, with ward-based security yielding more flexible and economical use of the facility between secure and non-secure areas. Dr. Dvoskin further noted that it would be feasible to provide office/program space for community agencies.

In response to Dr. Dvoskin's inquiry regarding the most common charge level pending among individuals targeted for services at the proposed facility, Dr. Joseph Poitier, Chief Psychiatrist, MDCR responded that the majority were third degree felonies; however all charge levels were represented. Dr. Dvoskin noted that serving individuals charged with more serious offenses would require a high level of security and greater expense.

Dr. Dvoskin discussed the amount and type of beds that the proposed diversion facility would provide and noted this facility would not eliminate the need to provide psychiatric care for mentally ill inmates within the Miami-Dade County Jail. He suggested that the proposed facility include beds designated for Crisis Stabilization Units (CSUs) and Short-term Residential Treatment (SRT).

Mr. David Raymond, Miami-Dade County Homeless Trust, addressed the process and limitations required by the Baker Act for beds designated for CSUs. He noted there would be fewer limitations on the use of the proposed facility if it were operated as a hospital versus a CSU. Discussion ensued between Dr. Dvoskin and Mr. Raymond regarding the type of services/security to be provided at the SFETC facility. Dr. Dvoskin recommended that the proposed facility be utilized as a multi-level service and safe haven facility to facilitate the integration of defendants with serious mental illnesses back into the community.

Judge Leifman noted that in the initial discussions regarding the development of this facility, it was emphasized that services be coordinated to provide a seamless continuum of care. The intent was to use this facility to treat and stabilize selected individuals arrested while in the midst of psychiatric crises, and to prepare them to more successfully re-integrate into the community upon release.

Dr. Dvoskin emphasized that because the prevalence of co-occurring substance use disorders among criminal justice system involved people with mental illnesses is so high, it was critical that services and programs be built around an integrated, dual diagnosis model.

Mr. Raymond inquired as to whether operation of the proposed would have any impact on zoning for the facility. The Subcommittee members discussed zoning issues and the possible requirements for additional permits and hearings.

In response to Mr. Benitez's question as to whether the usage of the proposed diversion facility would require additional construction, Dr. Dvoskin noted that the proposed facility was ideal for intended programmatic use.

Co-Chairman Lowell requested that the County Attorney's Office complete a title search for the property. Assistant County Attorney Hugo Benitez noted that the preliminaries for the title search were complete. He noted there were three lots involved which included two that were owned by the State and one owned by the City of Miami. He noted that he was uncertain whether the lot owned by the City of Miami was part of the operational property and would need more time to investigate and meet with those who would be more familiar with the property. Mr. Clotfelter, Director of General Services, DCF offered the State's land representative to work with Mr. Benitez to research the property.

Discussion ensued as to whether to pursue purchasing versus leasing the property from the State. In response to Judge Leifman inquiring would there be a change in procedures by addressing the Cabinet instead of the legislature if the property was leased; Mr. Clotfelter noted that the 253 Statute required state agencies to notify the County and City ordinances to determine their interest upon declaration of a property. He noted one option would be to purchase the property at market value of \$19.1 million which would eliminate a hearing before the Cabinet. He further noted that DCF releasing the property and selling it for this project would eliminate the State requiring a subleased property to be insured by the leaser and being responsible of property maintenance. Mr. Clotfelter concluded that this would be a clear transaction. He proposed that a representative of the legislature attend the next meeting to clarify these terms of the 253 Statute.

Mr. Clotfelter noted the decision regarding the terms of how the property would be sold/leased would extend from the government level.

Co-Chairman Lowell distributed a map of the site for the proposed diversion facility.

Mr. Salomon noted a physical assessment was rendered and there were no environmental issues found. He noted a copy of the assessment would be provided to the Task Force upon request.

Dr. Dvoskin recommended to address operational costs and a deciding factor would be dependent upon the number of beds in the facility. Dr. Dvoskin recommended that the budget be developed in collaboration with the State Department of Mental Health or ADM.

Dr. Dvoskin responded to Dr. Poitier's inquiry regarding the treatment and housing facilities for jail inmates in New York City, which was directed by the city and was under a contract with the Prison Health Service and internal transfers of clients and group therapy were provided within the facility. He noted some counties within the State of New York transferred clients to the State Hospital for treatment and provided security through the Sheriff's Office for a fee of \$100.00 per day.

Using Los Angeles, California as an example, Dr. Dvoskin said the majority of states did not have the capacity to provide appropriate inpatient care and were at risk of violating the clients' constitutional rights, which he noted could be avoided by outsourcing

inpatient care at a great expense or by providing high quality internal psychiatric services to minimize transfers to inpatient care.

In response to Judge Leifman's request, Dr. Dvoskin recommended that the subcommittee resolve issues relating to services to be provided and the number of beds to be included before developing a final proposal. He noted the subcommittee should identify dedicated revenue sources, and noted he was willing to provide free telephone consultation concerning these matters and would meet with the Subcommittee once the final proposal was developed.

Mr. Clotfelter recommended that a meeting be set up with Secretary Lucy Hadi from the Department of Children and Families to further discuss the State's and County's needs. Co-Chairman Lowell concurred and noted that a meeting with Secretary Hadi was a priority on the subcommittee's agenda. It was moved by Judge Leifman that the Task Force establish a Subcommittee comprised of two to three members to meet with Secretary Hadi. This motion was seconded by Mr. Lowell and upon being put to a vote, passed unanimously. Mr. Clotfelter said he would assist in scheduling this meeting.

Co-Chairman Lowell concurred with Dr. Dvoskin that revenue received for the program would be the driving force. He said it would be appropriate to review the total operational breakdown to determine actual expenses.

Judge Leifman asked Mr. Tim Coffey to contact the Director of the Budget Operations from the Miami-Dade Department of Corrections to provide a cost comparative analysis to develop the operating budget

III. Adjournment

There being no further business to come before the Subcommittee, the meeting was adjourned at 11:03 a.m.